

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

08 MJ2156

2008 JUL 15 AM 10:11

UNITED STATES OF AMERICA,

Plaintiff,

v.

Pedro PEREZ-Godinez,

Defendant

Magistrate Docket No.

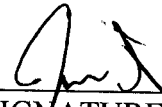
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIACOMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States

The undersigned complainant, being duly sworn, states:

On or about **July 14, 2008** within the Southern District of California, defendant, **Pedro PEREZ-Godinez**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 15th DAY OF JULY, 2008



Cathy A. Bencivengo
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Pedro PEREZ-Godinez

PROBABLE CAUSE STATEMENT

On July 14, 2008 Border Patrol Agent A. Ramirez was performing Border Patrol duties in Pine Valley, California. Agent Ramirez was working in an area located 18 miles east of the Tecate, California Port of Entry and approximately half mile north of the U.S./Mexico International Boundary. Agent Ramirez responded to an activation of a seismic intrusion device. Agent Ramirez found fresh footprints and followed them until he found four individuals attempting to conceal themselves in the brush. Agent Ramirez immediately identified himself as a United States Border Patrol Agent and questioned each of the four individuals as to their citizenship. All four subjects including one later identified as the defendant **Pedro PEREZ-Godinez**, admitted to being citizens and nationals of Mexico without any immigration documents that would allow them to be in or remain in the United States legally. At approximately 8:15 a.m., all four individuals were arrested and transported to the Pine Valley Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **April 22, 2008** through **San Ysidro, California**. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.